



KANSAS INFANT-TODDLER SERVICES

TECHNICAL ASSISTANCE BULLETIN

TAB #5

OCTOBER, 1997

GUIDELINES FOR DEVELOPING INTERAGENCY TRANSITION AGREEMENTS

INTRODUCTION

Both federal and state regulations require activities to support the transition of children and their families from infant-toddler to preschool services under Part B or to other services that may be appropriate if the child is no longer eligible (Federal regulation 34 CFR 303.344 from PL 99-457, Part H and 34 CFR 300.154, Part B). Each individualized family service plan (IFSP) must include a transition plan for the child who will become three years of age during that year and should include family involvement and interdisciplinary and interagency collaboration and cooperation (K.A.R. 28-4-5558 and 28-4-561).

BACKGROUND

Writing an **interagency transition agreement** or **memorandum of understanding** is a strategy used by local interagency coordinating councils to facilitate individual transition planning. The agreement establishes community transition procedures which formalize prior understandings and discussions between agencies, so that all legal and fiscal responsibilities are handled properly. The agreement is designed to create a framework within which successful individualized transition from one service provider to another will take place.

Benefits of an interagency transition agreement:

- Responsibilities of sending and receiving agencies are defined.
- Opportunities for family participation and choices are provided.
- Timelines for activities for children, families, and agencies are outlined.
- Funding allocations are specified.
- Procedures for transferring information are clear.
- Evaluation information is shared and duplication is avoided.
- Continuity of services is assured.
- Service and placement opportunities are expanded.
- Programming over the summer months is planned.
- **Children and families as well as agency staff receive support and experience a more coordinated and “seamless” service system.**

DEFINITIONS

Interagency transition agreement: a formal document which designates clear fiscal and legal obligations and is authorized by the signature of an agency head. Only those agencies that are legally and fiscally responsible for seeing that services are provided to eligible children should become signatories to an interagency agreement. These agencies include:

- Organizations receiving community, state, or federal funds to provide early intervention services. These will be the sending organizations.
- Local education agencies (LEAs) with responsibility for providing special education programs and services. These will be the receiving organizations.

Memorandum of understanding: a simpler, more informal plan which alludes to common understandings.

A memorandum of understanding may be more suitable in some communities where an ongoing relationship already exists, or in a metropolitan area where many layers of bureaucracy are required to approve a formally signed agreement.

RECOMMENDED ITEMS TO INCLUDE IN AGREEMENT

Discussions leading to an interagency transition agreement or memorandum of understanding may include representatives of early intervention agencies, school districts or special education cooperatives, parents of young children with special needs who have recently experienced transition at age 3, ICC representatives, and representatives of other early childhood agencies who serve children with and without special needs.

The transition agreement should include these components (K.A.R. 28-4-561):

Purpose statement**Initial transition meeting plan**

- The infant toddler program is responsible for convening the conference with the approval of the family at least 90 days before the child's third birthday.
- Identification of who specifically will be responsible for making arrangements and who will be invited to attend.
- How parental approval will be obtained and invitations made.
- How each of these agenda items will be handled:
 - Review of the child's program options.
 - Establishment of an individual transition plan including timelines for evaluation, transition activities, and the IFSP/IEP meeting.

Information and training to be provided to parents

- How and when the following information and training will be provided, and who will be responsible for each item:
 - Acquainting families with IFSP/IEP procedures, issues, and legal rights.
 - Helping families identify the roles they wish to play in their child's transition.
 - Helping families become familiar with the spectrum of services for which their child may be eligible.

Procedures to prepare children for changes in service delivery

- Determination of what steps will be planned to prepare children to adjust to and function in a new setting.
- How and when the following actions will take place and who will be responsible:
 - Visits to new settings.
 - Communication between direct service staff from sending and receiving agencies to identify skills or experiences that may help children succeed.
- Identification of support for acquiring skills.
- Identification of local programs and/or local funding which may be available if the child is not eligible for Part B services.

Transmission of information about the child to the local education agency

- How and when the following actions will take place and who will be responsible:
 - Obtaining consent to release information.
 - Forwarding names of potentially eligible children.
 - Forwarding more detailed information (IFSPs, evaluations).
 - Discharge reports.

Financial responsibilities of all agencies

- Since federal and Kansas regulations allow Infant-Toddler funds to be used to provide services to children with disabilities from their third birthday to the beginning of the following school year or for Part B funds to be used to provide services to two year old children with disabilities who will reach age 3 during the school year, local planners must agree upon how responsibilities will be shared in their community. (Federal regulations: 34 CFR 303.3 Part H and OSEP Policy memorandum 14 Part B. Kansas Procedure Manual for Infant-Toddler Services and Kansas State Plan for Special Education.)
- Fiscal responsibilities for evaluation and release time for direct staff visits and consultation may also be appropriate.
- Administrative oversight of the IFSP/IEP for a child over age 3 is the responsibility of Part B even though services may be provided through the Infant-Toddler Services system.
- Child count issues must be clarified and a method for information to be shared to provide for an unduplicated child count when 2 year old children are being served by Part B or 3 year old children are served by the Infant-Toddler Program. All 2 year olds are counted for Infant-Toddler, and all 3 year old children are counted for Part B.

Responsibilities for performing or sharing evaluation information to determine eligibility for continued services

- The 90 day notice from an infant toddler program constitutes a referral for a comprehensive evaluation.
- How parental consent to evaluate will be obtained.
- How and when evaluation data for eligibility will be shared. The Part B team is responsible for determining Part B eligibility using Infant-Toddler evaluation data. Additional testing should be administered only when required information is not available or is no longer current (more than 6 months).
- Determination of what evaluation methods and instruments can be used which are acceptable to both programs.

Development of an IFSP/IEP and implementation by the third birthday

- The IFSP may be used as allowed by federal and state regulations after the child's third birthday, or IEPs may be used in the 3 through 5 program. (The Kansas State Plan for Special Education.)
- Part B is responsible for the development of the IFSP/IEP after Part B eligibility is determined.
- Determination of what information or participation by Infant-Toddler service providers may be desired as part of the IFSP/IEP team process.

Continuity of services to the child including summer months

- What the community plan to provide services to children who have summer or late spring birthdays will be. Services may be provided using Infant-Toddler funds or may be provided using extended year funding through Part B if the Part B IFSP/IEP determines the need for extended school year services on an individual basis. (Kansas Guidelines for Implementation of Early Childhood Special Education Services, 1996, pp. 22-23.) In either case, services must be provided according to Part B of IDEA.
- What timelines for the transition conference, evaluation, and establishment of the IFSP/IEP when children have summer birthdays will be.

Method to monitor and update the interagency agreement

- How and when the transition agreement will be reviewed.
- Who will evaluate the effectiveness of the transition agreement, and how family input will be gathered.

Authorizing signatures

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